



Attorney Docket: JWB-2001-1-P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Harold Mermelstein et al.
Serial No. : 10/037,526
Filed : January 4, 2002
For : Composition and Method for
Treatment of Vaginal Dryness
Art Unit : 1615
Examiner : Robert M. Joynes

RESPONSE TO ADVISORY ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Reconsideration is requested of the Advisory Action dated July 23, 2004 relating to the above-referenced application. In that Action, the Rule 131 Declaration of Frank Marchese filed November 17, 2003 was found defective since it did not specify that the invention was made in this country. Accordingly, applicants now submit herewith revised Declarations of Frank Marchese and Harold Mermelstein. The revised Declaration of Frank Marchese states in paragraph 5 that the invention was made in this country, and the revised Declaration of Harold Mermelstein states in paragraph 4 that the invention was tested in this country. It is believed that these revised Declarations overcome the objections set forth in the Advisory Action.

In view of the present Response and the Amendment which was entered December 1, 2003, claims 1-6, 13-18 and 25-31 are patentable. In addition, claims 7-12 and 19-24 are also patentable since they depend on claims which are now believed to be allowable.

Entry of this Response is requested for the purpose of an appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Badie', is written over a horizontal line.

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